United Nations S/PRST/2005/46

Security Council

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4 October 2005
English
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# Statement by the President of the Security Council

At the 5275th meeting of the Security Council, held on 4 October 2005, in connection with the Council's consideration of the item entitled "The situation concerning the Democratic Republic of the Congo", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council takes note of the special report of the Secretary-General (S/2005/603) dated 26 September 2005, on the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC). It expresses its concern over the presence of foreign armed groups, which continue to pose a serious threat to stability in the eastern part of the country.

"The Security Council deplores in this regard the failure of the Forces démocratiques pour la libération du Rwanda (FDLR) to proceed with the disarmament and repatriation of their combatants, and exhorts them to do so without further delay and in accordance with the declaration that they signed in Rome on 31 March 2005.

"The Security Council recognizes the attached decision, taken on 16 September 2005 by the Democratic Republic of the Congo, Uganda, Rwanda, and Burundi, acting within the framework of the Tripartite Plus One Commission, to set the deadline of 30 September 2005 for FDLR to disarm or otherwise to face measures intended to compel them to do so. FDLR can no longer remain as an armed group in the Democratic Republic of the Congo.

"The Security Council demands that FDLR seize this opportunity to proceed voluntarily with their disarmament and return to Rwanda without any delay or preconditions.

"The Security Council commends the political and military pressure placed on FDLR by the Congolese Government and MONUC.

"The Security Council welcomes the steps taken by the Government of Rwanda, with the support of the international community, to peacefully repatriate FDLR members returning to Rwanda, in accordance with the applicable norms of international law and with respect for the rights and freedoms of the human person. The Council encourages the Government of Rwanda to continue to give the widest publicity to its commitments.

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"The Security Council demands the full cooperation of FDLR with the International Criminal Tribunal for Rwanda in Arusha, particularly with regard to the arrest and transfer of indictees who remain at large.

"Moreover, the Security Council notes with concern the incursion of members of the Lord's Resistance Army into the Democratic Republic of the Congo and welcomes the intention of the Congolese Armed Forces to disarm this group in cooperation with MONUC and in accordance with its mandate as set out in resolution 1565.

"Further, the Security Council calls upon all armed groups in the Great Lakes region of Africa to act without delay to lay down their arms and join the processes of political transition under way in the region.

"The Security Council calls upon the States of the region to deepen their cooperation with a view to putting an end to the activities of illegal armed groups. It recalls its adherence to respect for the sovereignty of all States and underlines that any recourse to the threat or use of force against the territorial integrity of a State is contrary to the Purposes and Principles set out in the Charter of the United Nations."

## Tripartite Plus Joint Commission Ministerial

Waldorf Astoria Hotel
New York, New York

16 September 2005

## Summary of decisions

Members of the Tripartite Commission commended Burundi's successful political transition, officially welcomed Burundi as a full participant and adopted the new name Tripartite Plus Joint Commission.

**The Tripartite Plus members**

- reiterated their commitment to prevent negative elements from using their respective territories to destabilize neighbouring countries.
- agreed to continue military and political pressure on the FDLR to ensure that it fulfils its commitment to disarm and repatriate.
- agreed to continue military and diplomatic pressure on all other militia to ensure their disarmament and repatriation or reintegration.
- agreed to retain 30 September 2005, as the deadline for voluntary disarmament and repatriation or reintegration and that failure to do so would trigger imposition of sanctions.
- agreed that the Tripartite Joint Commission has contributed to the reduction of tension in the Great Lakes region and that additional confidence-building measures are necessary to bring stability to the area, including:
  - DRC authorization of a Ugandan office in Beni to encourage, in conjunction with MONUC and the DRC, the disarmament and repatriation or reintegration of ADF, NALU and PRA.
  - Consideration of how to extradite Mutebusi, Nkunda and other leaders of armed groups.
  - Articulation of the mechanisms the U.S. and EU should employ against all militia operating in eastern DRC by members of the Tripartite.
- agreed to have the EU, in conjunction with the GOR, draft an information package for distribution to the FDLR that outlines measures to encourage their disarmament and repatriation or reintegration.
- welcomed the African Union's announcement of plans for an October reconnaissance mission that will lead to recommendations on how to proceed with the establishment of an AU force in eastern DRC.
- welcomed the continued effort of the international community to augment and build the capacity of the FARDC in order to bring stability to eastern DRC.
- agreed that MONUC's response in eastern DRC had improved, but that additional capacity was necessary to enforce its mandate.

– agreed that the facilitator will draft a timeline of actions by the Tripartite members and Contact Group through 31 December 2005, that are aimed at ensuring stability in the Great Lakes region, to include:

  • Develop sanctions that will be imposed on militia after 30 September 2005 should voluntary disarmament not occur.

  • Install Tripartite Fusion Cell (TPC) in Kisangani and Tripartite Plus member capitals.

  • Develop and distribute an incentive package to encourage FDLR and other militia to return to their country of origin.

  • Undertake an AU reconnaissance mission in the DRC.

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# Statement by the President of the Security Council

At the 5276th meeting of the Security Council, held on 4 October 2005, in connection with the Council's consideration of the item entitled "The situation between Eritrea and Ethiopia", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council expresses its grave concern at the decision of the Government of Eritrea to restrict all types of United Nations Mission in Ethiopia and Eritrea (UNMEE) helicopter flights within Eritrean airspace or coming to Eritrea, effective as of 5 October 2005, which will have serious implications for UNMEE's ability to carry out its mandate and for the safety of the staff.

"Recalling all previous resolutions and statements of its President regarding the situation between Ethiopia and Eritrea, the Security Council emphasizes that the aforementioned decision of the Government of Eritrea gravely contravenes the Council's call in resolution 1312 (2000) on the parties to provide UNMEE with the access, assistance, support, and protection required for the performance of its duties, as well as the Agreement on the Cessation of Hostilities signed in Algiers on 18 June 2000 between the Government of the Federal Democratic Republic of Ethiopia and the Government of the State of Eritrea (S/2000/601).

"The Security Council further underlines the need for implementation of the decision of the Eritrea-Ethiopia Boundary Commission without further delay, which will enable UNMEE to fulfil its mandate.

"The Security Council reaffirms that both parties bear the primary responsibility for the implementation of the Algiers Agreements and the decision of the Eritrea-Ethiopia Boundary Commission.

"The Security Council calls upon the Government of Eritrea to immediately reverse its decision and to provide UNMEE with the access, assistance, support and protection required for the performance of its duties. It also calls on both parties to cooperate fully and expeditiously with UNMEE in the implementation of its mandate.

"The Security Council also calls on both parties to show maximum restraint and to refrain from any threat of use of force against each other.

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"The Security Council reiterates its call upon both parties to achieve a full normalization of their relationship including through political dialogue between them for the adoption of further confidence-building measures and to consolidate progress achieved so far."

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# Security Council

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13 October 2005

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## Statement by the President of the Security Council

At the 5277th meeting of the Security Council, held on 13 October 2005, in connection with the Council's consideration of the item entitled "Reports of the Secretary-General on the Sudan", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council expresses its grave concern at recent reports of an upsurge of violence in Darfur by all sides and insists that all parties strictly abide by the demands and commitments made in the 8 April 2004 N'djamena Ceasefire Agreement, the resolutions of the Council and the Abuja Protocols. The Council strongly condemns the October 8 attack reportedly by the Sudan Liberation Movement/Army on African Union Mission in Sudan (AMIS) personnel in Darfur, which killed four Nigerian peacekeepers and two civilian contractors and wounded three others near Menawasha, and the October 9 attack reportedly by the Justice and Equality Movement in Tine in North Darfur, which resulted in the ambush and detention of approximately 35 AMIS personnel. The Council extends its deepest condolences to the families of those killed.

"The Security Council also condemns the September 25 attack in Modaina, Chad, by armed groups coming from the Sudan, which killed 75 people, the majority of them civilians. The Council joins with the African Union in expressing particular outrage at the September 19 attack by Darfur rebels against the town of Sheiara; the attack by Janjaweed militias on the camp for displaced persons at Aro Sharow on September 28 during which 29 people were killed and many more wounded; and the attack on the village of Tawilla by Sudanese government forces on September 29.

"The Security Council expresses its deep concern at the humanitarian impact that these developments cause and at the restrictions imposed on humanitarian operations in Darfur. The Council insists that restrictions end immediately and strongly urges all parties to ensure unhindered humanitarian access in Darfur.

"The Security Council also expresses its concern that the Secretary-General's report of 19 September (S/2005/592) stated there had been 'no visible effort by the Government [of Sudan] to disarm the militia or hold them to account in accordance with past agreements and Security Council resolutions. The SLM/A [Sudan Liberation Movement/Army] and the Justice and Equality Movement (JEM) are also failing to abide by the commitments

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made under past agreements and are doing far to little to control their men under arms.' The Council recalls the obligation undertaken by the Government of Sudan to disarm and control militias. It demands the SLM/A, the JEM and the Government of Sudan to immediately cease violence, comply with the N'djamena Ceasefire Agreement, end impediments to the peace process and cooperate fully with the African Union Mission. The Council again emphasizes the need to bring to justice those who perpetrate violence.

"The Security Council recalls the provisions of resolution 1591 (2005) concerning the Sudan. It urges the African Union to share the results of its investigations into recent attacks with the Council for possible referral to the Sudan Sanctions Committee in order to assist in the implementation of the provisions of the Council's relevant resolutions.

"The Security Council expresses its unequivocal support for the African Union Mission, and recalls that the Sudanese Government and Darfur rebel movements have to take the necessary steps to facilitate the deployment and effectiveness of AMIS.

"The Security Council remains firmly committed to the cause of peace in all of the Sudan, including through the Abuja talks and through full implementation of the Comprehensive Peace Agreement. It encourages the Government of National Unity and the Darfur rebels to engage in the search for a solution to the Darfur conflict. It urges all parties to make rapid progress at the Abuja talks to conclude a peace agreement without further delay."

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14 October 2005
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# Statement by the President of the Security Council

At the 5281st meeting of the Security Council, held on 14 October 2005, in connection with the Council's consideration of the item entitled "The situation in Côte d'Ivoire", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council heard a briefing by the Minister for Foreign Affairs of Nigeria, Mr. Oluyemi Adeniji, the Commissioner for Peace and Security of the African Union, Mr. Saïd Djinnit, the Special Representative of the Secretary-General, Mr. Pierre Schori, and the High Representative for the Elections, Mr. Antonio Monteiro, during its meeting on 13 October 2005,

"The Security Council appreciates the efforts of the African Union, in particular President Thabo Mbeki of the Republic of South Africa and President Olusegun Obasanjo of Nigeria, Chairman of the African Union, the Economic Community of West African States (ECOWAS), the leaders of the region, the Special Representative of the Secretary-General and the High Representative for the Elections to promote peace and stability in Côte d'Ivoire, and reiterates its full support for these efforts,

"The Security Council endorses the decision of the Peace and Security Council of the African Union on the situation in Côte d'Ivoire adopted at its 40th meeting at the level of Heads of State and Government held on 6 October 2005 in Addis Ababa (S/2005/639), expresses its intention to take rapidly all necessary measures to support as appropriate its implementation, in order to organize free, fair, open, transparent and credible elections as soon as possible and no later than 30 October 2006, and looks forward to regular reports on its implementation in accordance with article (v), paragraph 10, of the decision of the Peace and Security Council of the African Union,

"The Security Council takes note, in particular, of the Peace and Security Council's request for an increase in the strength of the United Nations Operation in Côte d'Ivoire (UNOCI), without prejudice to any future decision or commitment of the Security Council in this regard. The Security Council expresses its intention to consider, when it next examines the question, whether to provide additional resources to UNOCI, based on careful study of conditions in the country and evidence of meaningful progress towards implementation of the commitments made under the Linas-Marcoussis and other relevant agreements,

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"The Security Council reaffirms that it endorsed the Linas-Marcoussis, Accra III and Pretoria Agreements and demands that all the Ivorian parties signatories to these Agreements, as well as all the Ivorian parties concerned, implement fully and without delay their commitments under those Agreements, in accordance with the decision of the Peace and Security Council of the African Union,

"The Security Council welcomes the forthcoming visit of a high-level delegation led by Presidents Olusegun Obasanjo and Thabo Mbeki to Côte d'Ivoire, expresses its full support to it and urges all the Ivorian parties to cooperate fully and in good faith with this delegation, in particular in order to ensure the rapid implementation of the decision of the Peace and Security Council of the African Union and the early appointment of a Prime Minister acceptable to all parties and to guarantee, with the support of the United Nations, the organization of free, fair, open, transparent and credible elections,

"The Security Council expresses its full support for the forthcoming visit to the region of the Chairman of the Sanctions Committee established pursuant to resolution 1572 (2004) and underlines that the purpose of this visit is to assess the progress made by all parties towards the implementation of their commitments, bearing in mind the Committee's mandate under paragraphs 9 and 11 of resolution 1572 (2004), and to remind all Ivorian parties of their responsibilities for the full and rapid implementation of the peace process."

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# Security Council

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18 October 2005

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## Statement by the President of the Security Council

At the 5285th meeting of the Security Council, held on 18 October 2005, in connection with the Council's consideration of the item entitled "The question concerning Haiti: Report of the Secretary-General on the United Nations Stabilization Mission in Haiti (S/2005/631)", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council expresses its full support for the work of the United Nations Stabilization Mission in Haiti (MINUSTAH) and the Special Representative of the Secretary-General, Mr. Juan Gabriel Valdés.

"The Security Council stresses the primary importance of ensuring that Haiti benefits from transparent, inclusive, free and fair elections, in accordance with international democratic standards and open to all political candidates that have renounced violence, thereby enabling legitimate leadership at the national and local levels. The Council conveys its concern regarding the risk of delays in the electoral process, and underlines international expectations that the first round of national elections should take place in 2005, and all efforts should be undertaken so that the democratically elected authorities take office on 7 February 2006 in accordance with the Haitian Constitution. The Council notes, with appreciation, that, so far, more than three million people have been registered. The Council praises the Organization of American States (OAS) and other relevant international stakeholders for their contribution to that process. The Council welcomes the representation of a broad range of Haitian political opinion in the electoral process and underlines the importance of a collaborative approach by political leaders. National reconciliation and political dialogue should continue to be promoted as a means to ensure long-term stability and good governance.

"The Security Council notes with concern that important challenges to the preparations of the elections remain yet to be overcome. While welcoming the recent steps taken by the Transitional Government and the 'Conseil Electoral Provisoire' (CEP), the Council urges them to perform the ten urgent tasks required to ensure that elections will take place this year, which were endorsed by the Transitional Government on 17 September 2005 and reiterated by the 'Core Group' on 18 October 2005. The Council calls for effective and prompt decision-making in key areas by the relevant Haitian authorities, and urges the Haitian authorities to make full use of MINUSTAH's advice and assistance in the organization of elections. The Council calls upon them to

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work with MINUSTAH to develop a phased electoral plan as a matter of priority, with a view to finalizing a feasible electoral calendar. The Council also urges the Haitian authorities to publish swiftly the final list of candidates for the elections, and to agree in consultation with MINUSTAH upon a list of voting centres that ensures voter access and takes into account budgetary, security and logistical implications.

"The Security Council strongly supports the mission's endeavours to ensure a secure and stable environment in Haiti, which is crucial for the country's progress, and to enable the electoral process to take place. The Council recognizes MINUSTAH's contribution to the restoration and maintenance of the rule of law in the country, and underlines the need for strong and coordinated assistance to enable the reform and restructuring of Haiti's rule of law institutions. To this end, the Council urges the Transitional Government, working with MINUSTAH, to put into effect the initiatives called for in Resolution 1608 (2005) concerning the Haitian National Police (HNP) reform and restructuring plan as well as the reform of the Judicial System, in order to end impunity and ensure the due process. The Council welcomes the improvements in the security situation, due to the resolve of MINUSTAH to act in support of the Transitional Government. The Council expresses concern regarding reports of involvement of some officers of the HNP in serious crimes and human rights violations and stresses the need to investigate fully any allegations of serious crimes and human rights violations. The Council welcomes the deployment of MINUSTAH's additional military and police personnel, in accordance with Resolution 1608 (2005), and expresses gratitude to troop- and police-contributing countries.

"The Security Council reiterates the need for the Transitional Government and MINUSTAH to begin immediately effective implementation of a DDR programme. The Council stresses the need to implement high visibility quick-impact projects that create jobs. The Council also recognizes the need of maintaining stability in the period immediately following the elections, including through continued international presence, and to ensure that key Haitian institutions can function adequately, especially those institutions addressing rule of law and development. The Council recognizes the importance of the upcoming Donor Conference to be held in Brussels on 20 and 21 October, and calls upon donors to continue to disburse the pledged funds. The Council recognizes further that this Conference constitutes an important opportunity to further elaborate on short, medium and long term strategies, within a unified framework, to ensure coordination and continuity in a coherent and well prioritized response to Haitian problems. Haiti is at a critical juncture. While ultimately the responsibility for Haiti's future lies with its Government and people, the international community must continue to provide support."